

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

IN RE:

**Jimmy Lavern Clymer , Jr.,
and Sally Elizabeth Clymer,
aka Sally Elizabeth Ewing-Clymer
fka Sally Elizabeth Ewing,**

DEBTORS.

**Case No. 14-81433-C
Chapter 7**

**AMENDED MOTION FOR RELIEF FROM AUTOMATIC STAY
AND MOTION FOR ORDER OF ABANDONMENT**

U.S. Bank National Association, Creditor, moves this Court to grant relief from the automatic stay and to authorize abandonment of property of the estate pursuant to 11 U.S.C. Sections 362 and 554. In support of this Motion, Creditor would show the Court as follows:

1. Debtors filed a Voluntary Petition for Relief under Chapter 7 of Title 11 of the United States Bankruptcy Code on December 2, 2014. As of December 11, 2014 the total payoff balance is \$33, 676.44, with total arrears of \$1, 187.43.

2. Debtors own the following personal property:

**2012 Sun Tracker Party Barge 220 Vin # BUJ23846D212
2012 Mercury 200L Optimax Vin#1B914514**

(the "Property").

3. The Property is secured by a Retail Installment Sale Contract, upon which there is a debt of approximately \$32,315.09, with interest thereon at the rate of 7.49%. Debtors made a payment in the amount of \$395.81 on September 8, 2014 satisfying the payment for September 8, 2014. Debtor is currently due for October 8, 2014. Debtor is presently Five (5) post-petition payments delinquent to Creditor.

4. Debtors are in default under the terms of the Retail Installment Sale Contract and Creditor lacks adequate protection of its interest in the Property. Accordingly, cause exists to grant Creditor relief from the automatic stay.

5. The Property is burdensome to the estate and the same should, therefore, be abandoned.

6. Debtors' Statement of Intention filed herein indicates a desire to surrender the Property.

WHEREFORE, for good cause and upon consideration of the grounds above stated, Creditor requests that the Court terminate the automatic stay pursuant to 11 U.S.C. § 362; require abandonment pursuant to 11 U.S.C. § 554; and to grant such other relief as the Court deems just and proper.

Respectfully submitted March 2, 2015.

KIVELL, RAYMENT AND FRANCIS, P.C.

/s/ Julie Hird Thomas

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